

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB/LFG

RIO CHAMA STREAM SYSTEM

Section 3, Canjilon Creek

Subfile No. CHCJ-001-0005

MOTION TO AMEND CONSENT ORDER
DESCRIBING THE WATER RIGHTS OF THE CANJILON MUTUAL
DOMESTIC WATER CONSUMERS ASSOCIATION IN SUBFILE CHCJ-001-0005

The plaintiff State of New Mexico, *ex rel.* State Engineer (State) moves the Court to amend the Consent Order entered on July 7, 2009 (Doc. No. 9476) in Subfile CHCJ-001-005 describing the water rights of defendant Canjilon Mutual Domestic Water Consumers Association and as grounds therefore plaintiff states:

1. The Consent Order entered on July 7, 2009 in Subfile CHCJ-001-0005 that describes the water rights of the Canjilon Mutual Domestic Water Consumers Association contains a clerical error in the description of one of the points of diversion for the association's water rights. The association is authorized to use water from three points of diversion, an infiltration gallery (OSE 4057), a spring (OSE 4057-S) and a well (RG-22777). The Consent Order incorrectly describes the spring (OSE 4057-S) as an infiltration gallery.

WHEREFORE, the plaintiff State of New Mexico requests the Court to amend the Consent Order entered on July 7, 2009 in Subfile CHCJ-001-0005 to correct the description of the three points

of diversion listed in the Consent Order as follows:

INFILTRATION GALLERY (4057)

Location: X = 1,602,777 feet Y = 2,004,806 feet

SPRING (4057-S)

Location: X = 1,617,370 feet Y = 2,024,599 feet

Well No. RG-22777

Location: X = 1,585,369 feet Y = 1,992,162 feet

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11th day of June 2012, I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following parties via first class mail addressed as stated.

/s/ Ed Newville

EDWARD G. NEWVILLE

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